

# **MINUTES**



## REGULAR SESSION BOARD MEETING

DATE: July 19, 2018  
TIME: 10:00 a.m.  
PLACE: 2 DeKorte Park Plaza - Lyndhurst, NJ  
RE: **REGULAR SESSION MEETING MINUTES**

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### **Members in Attendance:**

John Ballantyne, Chairman  
Joseph Buckelew, Vice Chairman  
Vincent Prieto, President and CEO  
Robert J. Dowd, Member (via phone)  
Armando Fontoura, Member  
Michael H. Gluck, Esq., Member  
Steven Plofker, Member  
Andrew Scala, Member  
Anthony Scardino, Member  
Robert Yudin, Member

### **Absent:**

Michael Gonnelli, Member  
Michael Ferguson, Member  
Michael Griffin, NJ State Treasurer's Representative  
George Kolber, Member

### **Also Attending:**

Ralph J. Marra, Jr., Sr. Vice President/ Chief of Legal and Regulatory Affairs  
Christine Sanz, Vice President/COO  
Adam Levy, Vice President of Legal & Regulatory Affairs  
John Duffy, Sr. Vice President of Sports Complex operations and facilities  
John Yarenis, Director of Finance/CFO  
Sara Sundell, Director of Land Use Management and Chief Engineer  
Steven Cattuna, Chief of Staff  
Wayne Hasenbalg  
Lauren Nathan-LaRusso, Assistant Counsel, Governor's Authorities Unit (via phone)  
Christine Ferrante, Executive Assistant/Paralegal

Chairman Ballantyne called the meeting to order.

Chairman Ballantyne stated that the New Jersey Sports and Exposition Authority gave notice of the time, place, and date of this meeting by providing such notice to the Secretary of State for the State of New Jersey, The Star-Ledger, The Record, and other newspapers and by posting the notice at the offices of the Authority.

Chairman Ballantyne noted Commissioner Dowd and Lauren LaRusso, GAU representative are participating via phone.

Chairman Ballantyne explained that action may be taken after the Executive Session and that there would be an opportunity for public comment on those matters when the board returns to open session.

## **I. APPROVAL OF MINUTES**

Chairman Ballantyne presented the minutes of the Regular Session Board Meeting held on June 21, 2018.

Upon motion made by Commissioner Gluck and seconded by Commissioner Fontoura, the minutes of the Regular Session Board Meeting held on June 21, 2018 were unanimously approved.

## **II. PUBLIC PARTICIPATING ON RESOLUTIONS -**

- Captain Bill Sheehan, Riverkeeper spoke on the procedural Resolution 2018-25. Captain Sheehan hopes that the agency's recommendation to Tidelands Council would include the recommendation that the State be retroactively compensated for the use of the tidelands since the 1980s. President Prieto responded that that the NJSEA will make the Tidelands Council aware.

## **IV. APPROVALS**

- Approval of Cash Disbursements Over \$100,000 and Professional Invoices

Chairman Ballantyne presented the report of cash disbursements over \$100,000 and Professional Invoices for the month of June 2018.

Upon motion by President Prieto and seconded by Commissioner Gluck, the cash disbursements over \$100,000 for the month of June 2018 were unanimously approved.

Resolution 2018-24 Resolution Regarding a Decision on the Variance Application Submitted as Part of File No. 18-116 – Palmer Terrace Realty/SoFive-HVAC Units-Variance, Block 124, Lot 51 in Carlstadt.

Ms. Sundell explained Palmer Terrace Realty Associates, LLC, c/o Marcus Associates, owns the property located at 2 Palmer Terrace, which is located within the District's Light Industrial B zone. She also explained that the building located on the property houses an existing commercial recreation facility that contains eight indoor soccer fields. Ms. Sundell stated that as part of a zoning certificate application to install two ground-mounted HVAC units to cool the facility, they have requested one bulk variance to install one HVAC unit with a rear yard setback of 14.67 feet, whereas the minimum required rear yard setback is 30 feet. She also stated that one of the proposed HVAC units will be located in a conforming location outside of the required front yard on the western side of the building. Ms. Sundell indicated that due to limitations associated with the layout of the existing building and parking on the site, and the narrow side and rear yards, the second HVAC unit is proposed in the only available space where it will dimensionally fit on the site, which is within the easterly rear yard setback. Ms. Sundell stated that for these reasons and those stated in the recommendation; staff is recommending the approval of this bulk variance.

Commissioner Yudin asked about what surrounds the property. Ms. Sundell explained that there is open space on the side of the building and that the property is located in an industrial area with no residential.

Upon motion made by Vice Chairman Buckelew and seconded by Commissioner Yudin Resolution 2018-24 was unanimously approved by a vote of 10-0.

Resolution 2018-25 Resolution Regarding Tidelands Application for 5903 Westside Avenue LLC/Bergen Logistics – New Warehouse Building – File No. 16-326, Block 453.02, Lot 3.0761 in North Bergen.

Ms. Sundell explained Bergen Logistics submitted an application to construct a new 113,646-square-foot warehouse within an existing paved area adjacent to their existing warehouse on Westside Avenue in North Bergen, in order to accommodate the expansion of their thriving business. She also explained that a portion of subject lot that will contain the new warehouse is subject to the State's riparian interest. Ms. Sundell stated that the applicant has applied to the NJDEP Bureau of Tidelands Management for a Tidelands License to legitimize the filling of 0.342-acres of tidelands that occurred in the 1980's. She also stated that Pursuant to N.J.S.A. 13:1B-13.8, the NJDEP is required to provide the NJSEA with an opportunity to submit its recommendation regarding applications for tidelands conveyances within the District to the Tidelands Bureau.

Ms. Sundell indicated that staff reviewed the proposed tidelands license filing and recommends its approval, as the applicant's proposed improvements will occur within a previously developed area and will comply with the applicable District zoning regulations. She also indicated that Staff recommends that the Board forward a resolution to the Tidelands Bureau in support of the subject tidelands license application.

Upon motion made by Vice Chairman Buckelew and seconded by Commissioner Scala Resolution 2018-25 was unanimously approved by a vote of 10-0.

Resolution 2018-26 Resolution to Adopt the Schmitt Realty Redevelopment Plan for the Schmitt Realty Redevelopment Area Located at 1631 Paterson Plank Road, Block 191, Lots 15, 15.01, 15.02 & 15.03 in Secaucus – File No. SP-752.

Ms. Sundell explained that Pirhl, the contract purchaser of the 3.14-acre property owned by Schmitt Realty Co. Inc., located at 1631 Paterson Plank Road in Secaucus, previously petitioned the NJSEA to investigate the property's redevelopment potential. She also explained that the subject property, which is surrounded by residential neighborhoods, was utilized for over a century as a concrete plant, which has been closed for over a decade. Ms. Sundell stated that in November 2017, the NJSEA Board deemed the industrial property to be in need of redevelopment and authorized Staff to prepare a redevelopment plan. She also stated that staff prepared a draft redevelopment plan, which provides planning goals and zoning standards related to the proposed uses including multi-family residential, and held a public hearing to receive comments on the draft plan. Ms. Sundell indicated that at the public hearing, two Town of Secaucus residents provided comments on the proposed redevelopment plan. Their comments included concerns regarding flooding and drainage, parking and traffic, site remediation, sanitary sewer capacity, emergency vehicle access, building height, and playground safety. Ms. Sundell also indicated that staff believes that these subjects will be addressed during the zoning review utilizing the standards and requirements enumerated in this redevelopment plan, the District zoning regulations, and the requirements of outside agencies with jurisdiction, such as the Secaucus MUA and the NJDEP. Ms. Sundell stated that the plan was forwarded to the Hackensack Meadowlands Municipal Committee and they voted to approve the plan at their July 16,

2018 meeting. Ms. Sundell stated that staff requests that the Board adopt the Schmitt Realty Redevelopment Plan and authorize staff to prepare a public notice for publication in the NJ Register.

Vice Chairman Buckelew asked if at the public hearing the Secaucus residents were satisfied with staff's response. Ms. Sundell indicated that they were satisfied that the issues will be addressed during the next step of the process.

Upon motion made by Vice Chairman Buckelew and seconded by Commissioner Scala Resolution 2018-26 was unanimously approved by a vote of 10-0.

**V. PUBLIC COMMENTS - None**

**VI. EXECUTIVE SESSION**

Chairman Ballantyne stated a need for the Board to enter into Executive Session to discuss contractual matters, personnel matters and litigation matters.

Chairman Ballantyne indicated that a matter may be considered following the executive session.

Resolution 2018-27 Resolution authorizing the NJSEA to enter into a meeting to which the general public shall not be admitted to discuss legal matters, personnel matters and contract negotiations.

Upon motion made by Commissioner Plofker and seconded by Vice Chairman Buckelew Resolution 2018-27 was approved by a vote of 10-0.

Returned to open session at 10:25 a.m.

Chairman Ballantyne stated that the resolutions being considered are available to the public.

**VII. PUBLIC PARTICIPATION ON PROPOSED RESOLUTIONS - None**

**VIII. APPROVAL**

Resolution 2018-28 Resolution Authorizing the President and Chief Executive Officer to Negotiate and Enter Into Successor Collective Negotiations Agreements with Local Unions at the Meadowlands Sports Complex.

Mr. Marra explained that the resolution gives the President and executive staff the authority to negotiate and execute collective bargaining agreements with various trade unions. Mr. Marra further explained that NJSEA has been coordinating with Trenton and the Unions.

Upon motion made by Commissioner Fontoura and seconded by Commissioner Gluck Resolution 2018-28 was unanimously approved by a vote of 10-0.

President Prieto explained that at the June meeting a request for a 45-day extension, which was agreed to by all parties, was approved for the Attorney General to review the settlement. President Prieto stated that since the extension runs out on August 31 and the Board does not meet until September, all parties have agreed to a second 45-day extension.

Upon motion made by Commissioner Plofker and seconded by Commissioner Scardino Resolution 2018-29 was unanimously approved by a vote of 10-0.

**IX. MOTION TO ADJOURN**

With no further business, motion to adjourn the meeting was made by Commissioner Scardino and second by Commissioner Gluck with all in favor.

Meeting adjourned at 10:30 a.m.

**I certify that on information and belief this is a true and accurate transcript of the Minutes of the Regular Session of the New Jersey Sports and Exposition Authority Board Meeting held on July 19, 2018.**



**Ralph J. Marra, Jr., Esq.**  
**Assistant Secretary**

July 19 2018

Commissioner	Roll Call	2018-24	2018-25	2018-25	2018-26	2018-27	2018-28	2018-29
Ballantyne, Chairman	P	Y	Y	Y	Y	Y	Y	Y
Buckelew, Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y
Prieto	P	Y	Y	Y	Y	Y	Y	Y
Dowd	P (via phone)	Y	Y	Y	Y	Y	Y	Y
Ferguson	--	--	--	--	--	--	--	--
Fontoura	P	Y	Y	Y	Y	Y	Y	Y
Gluck	P	Y	Y	Y	Y	Y	Y	Y
Gonnelli	--	--	--	--	--	--	--	--
Kolber	--	--	--	--				
Plofker	P	Y	Y	Y	Y	Y	Y	Y
Scala	P	Y	Y	Y	Y	Y	Y	Y
Scardino	P	Y	Y	Y	Y	Y	Y	Y
Yudin	P	Y	Y	Y	Y	Y	Y	Y
Treasury Rep Griffin	--	--	--	--	--	--	--	--

P - Present      A - Abstain  
 -- Absent      R = Recuse  
 Y = Affirmative      N = Negative